

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MARGARET HATZIDAKIS

-V-

ORDER OF DISMISSAL
ADOPTING REPORT & RECOMMENDATION
CV 09-4344 (JS) (ETB)

NEW YORK CITY POLICE DEPT.
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APPEARANCES:

For plaintiff(s):
Margaret Hatzidakis, *Pro Se*
36 Kilkenney St.
Unadilla NY 13849

For Defendant(s):
(None)

SEYBERT, DISTRICT JUDGE:

The above-captioned case was filed on Oct. 9, 2009.

Magistrate Judge E. Thomas Boyle has presided over pretrial matters, granting the plaintiff adjournment of a court appearance for her personal reasons. The plaintiff has been advised several times, however, that she must serve the summons and complaint.

As the plaintiff still did not effect service, a Report & Recommendation was issued on Sep. 15, 2010 (docket entry [9]) that the case be dismissed. There was no objection to the Report & Recommendation, so it is ADOPTED in its entirety.

IT IS HEREBY ORDERED that this case be dismissed without prejudice for lack of prosecution, pursuant to Rules 4(m) and 41(b), Federal Rules of Civil Procedure.

SO ORDERED.

/s/ JOANNA SEYBERT

JOANNA SEYBERT, U.S.D.J.

Dated: Central Islip, New York
Oct. 27, 2010